

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BARRY C. McANARNEY, as he is EXECUTIVE DIRECTOR, MASSACHUSETTS LABORERS' HEALTH AND WELFARE FUND, MASSACHUSETTS LABORERS' PENSION FUND and MASSACHUSETTS LABORERS' ANNUITY FUND; JAMES V. MERLONI, JR., as he is ADMINISTRATOR, NEW ENGLAND LABORERS' TRAINING TRUST FUND; and JOSEPH BONFIGLIO, as he is TRUSTEE, MASSACHUSETTS LABORERS' LEGAL SERVICES FUND,

Plaintiffs,

vs.

ABSOLUTE ENVIRONMENTAL, INC. and ABSOLUTE ENVIRONMENTAL CONTRACTORS, INC.,

Defendants.

C.A. No. 15-12985-NMG

UNOPPOSED MOTION TO SEAL

NOW COME Plaintiffs and hereby move this Honorable Court to seal the following documents from the public record. Defendants do not oppose this motion.¹

Plaintiffs ask that the following documents be sealed as they are confidential attorney-client communications and confidential business records.

- 69 (Memorandum of Law, because it references documents Plaintiffs seek to seal)
- 69-1 (Attorney-Client communication)
- 69-7 (Attorney-Client communication concerning legal strategy)
- 69-8 (75 pages of minutes of the Plaintiffs' "Delinquency Committee," which includes attorney-client communications, and strategy; virtually the entire document is unrelated to this case)
- 69-9 (legal memorandum written by law student)
- 69-10 (attorney-client communication)
- 69-11 (attorney-client communication)
- 69-12 (attorney-client communication)

¹ Plaintiffs acknowledge that by not opposing the motion the Defendants have not waived and reserve all rights to seek to have the at-issue documents filed publicly in a new lawsuit filed by the Funds against either or both of the Defendants relating to the Funds' claims in this suit.

- 69-15 (attorney-client communication)
- 69-16 (attorney-client communication)
- 84 (Defendants' Reply Brief, because it references documents Plaintiffs seek to seal).
- 77 (Memorandum of Law, because it references the documents Plaintiffs seek to seal)
- 77-2 (includes attorney-client communication)
- 77-3 (attorney-client communication).

Respectfully submitted,

PLAINTIFFS,

BARRY C. McANARNEY, as he is
EXECUTIVE DIRECTOR,
MASSACHUSETTS LABORERS'
HEALTH AND WELFARE FUND, *et al.*,

By their attorneys,

/s/ Anne R. Sills
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Dated: October 23, 2018

CERTIFICATE OF CONSULTATION

Pursuant to L.R. 7.1(a)(2), I hereby certify that I have conferred and attempted in good faith to resolve or narrow the issues.

/s/ Anne R. Sills
Anne R. Sills, Esquire

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on this 23rd day of October, 2018.

/s/ Anne R. Sills
Anne R. Sills, Esquire